

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DONALD C. ERBACH, JR., and)	
STEPHANIE S. STREETT, husband and)	
wife, individually and on behalf of)	
all others similarly situated)	Cause No. 4-07-CV-01112 JLH
)	
Plaintiffs,)	
)	
)	CLASS ACTION COMPLAINT
vs.)	DEMAND FOR JURY TRIAL
)	
)	
SPIN MASTER, LTD., and)	
SPIN MASTER, INC.)	
)	
Defendants.)	

**DEFENDANTS' CONDITIONALLY UNOPPOSED
MOTION FOR ENLARGEMENT OF TIME AND
TEMPORARY STAY OF PROCEEDINGS**

1. By order of this court, a response to the summons and complaint is due on Wednesday, January 9, 2008.

2. The Defendants have now determined that by Friday, January 11, 2008, they will file a motion with the panel on multi-district litigation seeking multi-district treatment and pre-trial coordination for this and similar lawsuits pending around the country.

3. The Defendants request that activity in this individual action should be stayed pending a determination by the panel on multi-district litigation whether to grant the motion of the Defendants and assign this case and others similarly situated to a single court for coordinated pre-trial proceedings.

4. Defendants are informed that based upon Defendants' representation that they intend to file the Motion with the MDL Panel by January 11, 2008, Plaintiffs do not oppose this Motion. However, should such Motion not be filed by January 11, 2008, then Plaintiff requests and Defendants agree to file their Answer in this matter by January 11, 2008.

5. Accordingly, Defendants request that this court further enlarge the time for answering or otherwise responding to the summons and complaint pending a decision by the panel on multi-district litigation.

6. Defendants agree to apprise this court of the action taken by the MDL panel within ten (10) days of the panel's decision upon the motion to be filed by Friday, January 11, 2008.

WHEREFORE, Defendants pray for an order of this court staying the answer date and all other activity upon this matter pending a decision of the panel on multi-district litigation and for all proper relief.

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Spin Master, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

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James A. Streett, james@streettlaw.com

/s/ M. Samuel Jones, III